

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Edmond Jerome Wright, and	)	C.A. No.: 6:05-899-HMH
Haywood Wright, Personal	)	
Representatives and Beneficiaries	)	
of Kathy W. Wright, the Deceased,	)	
and the Estate of Kathy W. Wright,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	<b>OPINION AND ORDER</b>
	)	
Perry Ellis International, Inc.,	)	
Jantzen, Inc., now d/b/a Perry	)	
Ellis International, Inc., Guardian	)	
Life Insurance Company of	)	
America, and Unum Life Insurance	)	
Company of America,	)	
	)	
Defendants.	)	

**THIS MATTER COMES BEFORE THE COURT** by way of the Plaintiffs amending their complaint. In amending their complaint, the Plaintiffs have determined that they do not wish to pursue their claims against Defendants Unum Life Insurance Company of America and Guardian Life Insurance Company of America. Accordingly, the Defendants Unum Life Insurance Company of America and Guardian Life Insurance Company of America are hereby dismissed without prejudice pursuant to Fed.R.Civ.P. 41. The matter *sub judice* shall continue against the Defendants Perry Ellis International, Inc., Jantzen, Inc., now d/b/a Perry Ellis International, Inc. and any new Defendant named in Plaintiffs' amended complaint.

**WHEREFORE, it is ORDERED, ADJUDGED AND DECREED** that the Defendants Unum Life Insurance Company of America and Guardian Life Insurance Company of America are hereby dismissed without prejudice pursuant to Fed.R.Civ.P. 41. The case shall continue against the remaining Defendants.

**AND IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
United States District Court Judge

Date: May 20, 2005